

DEC 18 1997

No. 96-1768

In The
Supreme Court of the United States
October Term, 1997

C. ELVIN FELTNER, JR.,

Petitioner,

v.

COLUMBIA PICTURES TELEVISION, INC.,

Respondent.

On Writ Of Certiorari To The United States
Court Of Appeals For The Ninth Circuit

MOTION FOR LEAVE TO FILE OUT OF TIME
AMICUS CURIAE BRIEF OF THE AMERICAN
INTELLECTUAL PROPERTY LAW ASSOCIATION
IN SUPPORT OF RESPONDENT

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**MOTION FOR LEAVE TO FILE OUT OF TIME
AMICUS CURIAE BRIEF OF THE
AMERICAN INTELLECTUAL PROPERTY LAW
ASSOCIATION IN SUPPORT OF RESPONDENT**

The American Intellectual Property Law Association ("AIPLA") respectfully requests that the Court allow it to file its Amicus Curiae Brief In Support of Respondent out of time. Mistakenly believing that Rule 29.2 applied, AIPLA's counsel in Chicago placed the brief in U.S. Postal Express Mail on December 15th. AIPLA was not aware of this Court's order that all briefs in support of the respondent in this case be filed on or before 3:00 P.M. on that day. The copy of the file obtained by AIPLA's counsel did not contain that order for some reason. Both parties had consented to the filing of this brief. The existence of the order, and the inapplicability of Rule 29.2, did not come up in conversations with counsel for the parties.

AIPLA requests that the Court excuse its filing under Rule 29.2 and accept what AIPLA believes is a concise, helpful brief.

Respectfully submitted,

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